

## Lucky Envelope Raffle Information and Conditions

### What is a Lucky Envelope Raffle?

A *Lucky Envelope Raffle* is a lottery that uses Lucky Envelopes as a mechanism for determining the winner of a lottery.

Lucky Envelopes usually contain a hidden symbol or symbols which can be exposed by removing or scratching a covering of paper. The combination of symbols revealed determines whether a ticket is a prize-winning ticket or not. They are sometimes known as “break-open tickets”, “bingo tickets” or “pull-tabs”.

A prize includes anything of value or benefit.

A *Lucky Envelope Raffle* is conducted for the purposes of fundraising for not-for-profit or charitable organisations. The use of Lucky Envelopes to determine a lottery is restricted to lotteries where the maximum gross proceeds are less than or equal to \$5000.

It should be noted that the specific provisions of the *Lotteries Act 1964* will ultimately determine the eligibility or otherwise of any lottery application.

### When is a permit required?

Where a *Lucky Envelope Raffle* fits into the above category a permit is required.

A permit should be sought for each *Lucky Envelope Raffle* conducted. A permit may be issued for a maximum of 12 months.

### When is a permit not required?

#### **Website Lotteries**

If a lottery is conducted via a website a permit is not required unless:

- the website is hosted in the ACT, or
- the website is not hosted in the ACT but the promotion is being advertised in the ACT in addition to the advertising on the website.

#### **Definition of advertising**

In this context, “advertised” includes:

- a notice or mention on television, radio or other public broadcast;
- a notice or mention in a newspaper, magazine, pamphlet, leaflet, flier, direct mail (specific address), general mail (non-specific address), internet, e-mail, SMS, MMS, fax, billboard, sign, poster, banner or other publicly available printed material; or
- any other method of communicating the conduct of the promotion to the public (excluding material forwarded directly to or made available to members only).

### How do I apply for a permit?

The Application for a *Lucky Envelope Permit* (the Application Form) is available from the ACT Gambling and Racing Commission's (the Commission) website at [www.gamblingandracing.act.gov.au](http://www.gamblingandracing.act.gov.au).

The approved application form in its entirety must be completed and signed by the promoter, or their agent, and be lodged with the Commission with the relevant fee and supporting documentation. The application form must be accompanied by a copy of the proposed Terms and Conditions of the *Lucky Envelope Raffle* and evidence that the publication of the Lucky Envelopes has been authorised by another jurisdiction or verified by an appropriate third party.

An application may be posted (if paying by cheque), emailed or faxed (if paying by credit card) to the Commission at the addresses listed at the end of this document.

Processing of the application will not commence without the payment of the determined fee.

Seven working days should be allowed for processing once the Commission has received all of the relevant information.

Applicants may apply to receive a permit for a period of up to 12 months.

### Conditions of Approval

Pursuant to Section 7(3) of the *Lotteries Act 1964*, the Commission may impose conditions on the approval of a *Lucky Envelope Raffle* permit in order to protect the interests of subscribers to the lottery.

The following information states the specific conditions that apply to Lucky Envelope Raffle permits.

#### General Conditions

The applicant (or their agent) must fully and accurately complete the approved application form to the satisfaction of the Commission.

Agents acting on behalf of an applicant must include a letter of authority from the promoter conducting the lottery.

The completed application form, including attached rules or terms and conditions must be accompanied by the determined fee.

#### Prohibitions on persons involved with a Lucky Envelope Raffle

The following persons are excluded from participating as a subscriber in any *Lucky Envelope Raffle*:

- the applicant or organiser of the *Lucky Envelope Raffle* and their employees and contractors;
- a) the owners/occupiers of any venue used for the sale of the *Lucky Envelope Raffle* and their employees and contractors;
- b) the organisation conducting the *Lucky Envelope Raffle* and their employees and contractors;
- c) persons under the age of 18 years; and
- d) intoxicated persons.

A player shall not participate:

- a) in any sales related to the conduct of a *Lucky Envelope Raffle*;
- b) in the organisation of a *Lucky Envelope Raffle*; or
- c) in the administration of a *Lucky Envelope Raffle*.

#### Method of Entry

Lucky Envelopes may be sold by hand or by vending machine. However, a series of envelopes can only be sold by one of these methods at a time.

The use of a vending machine to dispense *Lucky Envelope Raffle* tickets must be approved by the Commission. Approval will only be forthcoming if the vending machine is proposed to be installed within a ***gaming area approved under a gaming law (such as within an area approved for the operation of gaming machines)***.

***Electronic vending machines that distribute electronic Lucky Envelopes are not permitted to operate in the ACT.***

#### Tickets

*Lucky Envelope Raffle* tickets must include the following information:

- the permit number issued by the Commission;
- the benefitting organisation; and
- a sequential number.

Each series of envelopes must be numbered with a unique serial number.

Each envelope in a *Lucky Envelope Raffle* must be sold for the same price, however "bundling" (eg. one envelope for \$1, 3 envelopes for \$2) of the envelopes may occur as long as the option is available to all potential subscribers to the raffle.

The hidden symbols must not be able to be seen until deliberately exposed by the subscriber.

The use of Lucky Envelopes to determine a lottery is restricted to lotteries where the maximum gross proceeds are less than or equal to \$5000. Maximum gross proceeds is defined as being the total revenue derived by multiplying the number of Lucky Envelopes in the series by the price for a single Lucky Envelope in the series.

An application for a *Lucky Envelope Raffle* permit must be accompanied by evidence that the publication of the envelopes has been approved by another local jurisdiction or evidence that the publication process has been undertaken correctly and that the envelopes are authentic and mathematically correct.

### Terms and Conditions

A copy of the terms and conditions of the *Lucky Envelope Raffle* must accompany your application. The terms and conditions must be printed on the advertising of the lottery and must be displayed at the point of sale. If the terms and conditions cannot be placed on the advertising media, reference must be made to a place where the terms and conditions are available. The terms and conditions must include:

- how to enter the *Lucky Envelope Raffle*;
- the period for which the *Lucky Envelope Raffle* will be conducted;
- the promoting organisation and their contact details;
- the benefitting organisation and the purpose for which the *Lucky Envelope Raffle* is to be conducted;
- a full list of prizes and their retail value;
- any conditions attached to the prizes; and
- how to claim the prizes.

### Determination of the Winners

Lucky Envelopes must be kept securely in the charge of a responsible person and must not be altered or tampered with.

Unless other instructions are clearly provided at the point of sale or on the Lucky Envelope, prizes must be made available immediately by the seller of the Lucky Envelope.

The organiser of a lottery using Lucky Envelopes must honour all winning envelopes, regardless of the fact that all prizes may have been awarded and that a printing error has occurred.

### Prizes

The Commission will refuse to approve an application where the Commission considers the prizes to be inappropriate e.g. tobacco products or dangerous goods.

The winner of a prize must not be charged an administrative or delivery fee upon receipt of their prize.

If a prize involves travel all relevant information must be included in the terms and conditions of the lottery displayed at the point of sale or on the Lucky Envelope. Details of departure point and destination, the number of people included in the fare, class of travel, inclusion of transfers, name and location of accommodation, duration of stay, inclusions, date by which travel must be taken, availability, transferability, restrictions and spending money must be listed if applicable.

For the purposes of these conditions and calculating the determined application fee, the total prize value is calculated as the summation of the values of all possible prizes that could be attained based on the prize allocation options.

The value of individual prizes is the usual or recommended retail or market value of the goods or services offered as the prize.

A minimum of 40% of gross proceeds must be returned to the player in prizes.

### Variation to a Permit

Any variation to the application after the Commission has commenced its processing must be submitted through an *Application for an Amendment to an Approval to Conduct a Lottery* form and be accompanied by the determined fee for a variation. The Commission must approve a variation to the promotion before any amendment can be implemented.

In addition, if a *Lucky Envelope Raffle* is to be cancelled prior to its close date, the Commission must be immediately advised in writing including the following information:

- the date, or proposed date, on which Lucky Envelope sales will cease; and
- arrangements for disbursement of any remaining prize pool.

A copy of the variation form can be obtained from the Commission website at: [www.gamblingandracing.act.gov.au](http://www.gamblingandracing.act.gov.au).

### Permit Number

Once an application has been approved the Commission will issue the applicant with a permit number. All entry forms and advertisements must include the permit number issued for that *Lucky Envelope Raffle*.

### Records

All records concerning the lottery, including entries, must be kept for a minimum period of twelve months after the determination of the results.

### Can Records Be Inspected?

Yes, the Commission may write to you to request records relating to your *Lucky Envelope Raffle*.

Records that the Commission may request include:

- a written statement showing the whole of receipts and disbursements in connection with the *Lucky Envelope Raffle*; and
- all books, documents and vouchers relating to the lottery.

The legislation also empowers the Commission to attend a *Lucky Envelope Raffle* in order to monitor or supervise the conduct of the lottery.

### Do Penalties Apply?

Yes, penalties may be applied for:

- conducting a lottery other than an approved or exempt lottery;
- advertising a lottery other than an approved or exempt lottery;
- selling tickets in a lottery other than an approved or exempt lottery;
- printing tickets in connection with a lottery other than an approved or exempt lottery;
- not complying with a written request to provide statements, books, documents, vouchers or any other requested information relating to a lottery;
- misappropriation of funds or prizes in connection with a lottery; and
- fraudulent drawing of a lottery.

Details of the amounts won, the number of Lucky Envelopes sold and names and addresses of ticket sellers must be kept for a minimum period of 12 months after the determination of the results.

Financial statements must be drawn-up and retained for a period of 12 months after the determination of the results. The financial statements must provide a detailed record of all income and expenditure associated with the conduct of the lottery.

The Commission may request that you provide these records at any time during this period.

### **Contacting the Commission About Your Lottery**

Completed applications may be mailed or emailed to:

The Lotteries Officer  
ACT Gambling and Racing Commission  
GPO Box 158  
CANBERRA ACT 2601

Email: [lotteries@act.gov.au](mailto:lotteries@act.gov.au)

Telephone enquiries can be directed to the Lotteries Officer on telephone 02 6207 0361.